

CHAPTER II
107506877

**TRANSMITTAL LETTER
TO THE UNITED STATES ELECTED OFFICE (EO/US)
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

PCT/US03/07527

Filed: March 11, 2003

INTERNATIONAL APPLICATION NO:

INTERNATIONAL FILING DATE

60/363,179

Filed: March 11, 2002

PRIORITY

DATE CLAIMED

DETECTION AND QUANTIFICATION OF MODIFIED PROTEINS

TITLE OF INVENTION

Steven P. GYGI and Peng JUNMIN
APPLICANT(S)

**Mail Stop PCT
Atten: EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as **EXPRESS MAIL Label No.: EV 519064531 US** in an envelope addressed to: **BOX PCT, ATTN: EO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Date: **September 3, 2004**

By: 
Helen Murray Tarbi

NOTE: To avoid abandonment of the application, the applicant shall furnish to the USPTO, not later than 20 months from the priority date: (1) a copy of the international application, unless it has been previously communicated by the International Bureau or unless it was originally filed in the USPTO; and (2) the basic national fee (see 37 C.F.R. Section 1.492(a)). The 30-month time limit may not be extended. 37 C.F.R. Section 1.495.

WARNING: Where the items are those which can be submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. Section 1.10 must be used (since international application papers are not covered by an ordinary certificate of mailing - See 37 C.F.R. Section 1.8.

NOTE: Documents and fees must be clearly identified as a submission to enter the national state under 35 USC 371 otherwise the submission will be considered as being made under 35 U.S.C. Section 111. 37 C.F.R. Section 1.494(f).

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:

☒ This express request to immediately begin national examination procedures (35 U.S.C. Section 371(f)).

[X] The U.S. National Fee (35 U.S.C. Section 371(c)(1)) and other fees (37 C.F.R. Section 1.492) as indicated below: 2. Fees

DT04 Rec'd PCT/PTO 03 SEP 2004

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
[]*	TOTAL CLAIMS	44 - 20 =	24	x \$ 18.00 =	\$ 432.00
	INDEPENDENT CLAIMS	11 - 3 =	8	x \$ 86.00 =	\$ 688.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$290.00				\$ 290.00
ASIC FEE**	<p>[X] U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY</p> <p>Where an International preliminary examination fee as set forth in Section 1.482 has been paid on the international application to the U.S. PTO:</p> <p>[] and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(2) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 C.F.R. Section 1.492(a)(4))</p> <p>..... \$100.00</p> <p>[X] and the above requirements are not met (37 C.F.R. Section 1.492(a)(1)) \$730.00</p> <p>[] U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY</p> <p>Where no international preliminary examination fee as set forth in Section 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in Section 1.445(a)(2) to the U.S. PTO:</p> <p>[] has been paid (37 C.F.R. 1.492(a)(2)) \$ 770.00</p> <p>[] has not been paid (37 C.F.R. 1.492(a)(3)) \$1,080.00</p> <p>[] where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 C.F.R. Section 1.492(a)(5)) \$920.00</p>				
	Total of above Calculations				\$ 2,140.00
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed. (note 37 C.F.R. Sections 1.9, 1.27, 1.28)				\$
	Processing fee of \$130.00 for furnishing the English Translation/Declaration after filing of this application.				\$ 130.00
	Total National Fee				\$ 2,270.00
	Fee for recording the enclosed assignment document \$40.00 (37 C.F.R. 1.21(h)). (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				\$
TOTAL	Total Fees enclosed				\$ 2,270.00

- i. [X] Check in the amount of \$2,270.00 to cover the above fees is enclosed.
- ii. [] Please charge Account No. in the amount of \$

**** WARNING:** "To avoid abandonment of the application the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 30 months from the priority date: * * * (2) the basic national fee (see Section 1.492(a)). The 30-month time limit may not be extended." 37 C.F.R. Section 1.495(b).

WARNING: If the translation of the international application and/or the oath or declaration have not been submitted by the applicant within thirty (30) months from the priority date, such requirements may be met within a time period set by the Office. 37 C.F.R. Section 1.495(b)(2). The payment of the surcharge set forth in Section 1.492(e) is required as a condition for accepting the oath or declaration later than thirty (30) months after the priority date. The payment of the processing fee set forth in Section 1.492(f) is required for acceptance of an English translation later than thirty (30) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of Section 1.136 apply to the period which is set. Notice of Jan. 3, 1993, 1147 O.G. 29 to 40.

2. ☒ A copy of the International application as filed (35 U.S.C. Section 371(c)(2)):

DT04 Rec'd PCT/PTO 03 SEP 2004

NOTE: Section 1.495 (b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 30 months from the priority date to avoid abandonment "The International Bureau normally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage, the applicant normally need only check to be sure the notice from the International Bureau has been received and then pay the basic national fee by 30 months from the priority date." Notice of Jan. 7, 1993, 1147 O.G. 29 to 40, at 35-36. See item 14c below.

- a. ☒ is transmitted herewith.
 - b. ☐ is not required, as the application was filed with the United States Receiving Office.
 - c. ☐ has been transmitted
 - i. ☐ by the International Bureau.
 - ii. ☐ by applicant on _____
3. ☒ A translation of the International application into the English language (35 U.S.C. Section 371(c)(2)):
- a. ☒ is transmitted herewith.
 - b. ☐ is not required as the application was filed in English.
 - c. ☐ was previously transmitted by applicant on Date _____
 - d. ☐ will follow.
4. ☒ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. Section 371(c)(3)):

NOTE: The Notice of January 7, 1993 points out that 37 C.F.R. Section 1.495(a) was amended to clarify the existing and continuing practice that PCT Article 19 amendments must be submitted by 30 months from the priority date and this deadline may not be extended. The Notice further advises that: "The failure to do so will not result in loss of the subject matter of the PCT Article 19 amendments. Applicant may submit that subject matter in a preliminary amendment filed under Section 1.121. In many cases, filing an amendment under Section 1.121 is preferable since grammatical or idiomatic errors may be corrected." 1147 O.G. 29-40, at 36.

- a. ☐ are transmitted herewith.
 - b. ☐ have been transmitted
 - i. ☐ by the International Bureau.
 - ii. ☐ by applicant on _____
 - c. ☒ have not been transmitted as
 - i. ☒ applicant chose not to make amendments under PCT Article 19.
 - ii. ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.
5. ☒ A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. Section 371(c)(3)):
- a. ☐ is transmitted herewith.
 - b. ☐ is not required as the amendments were made in the English language.
 - c. ☒ has not been transmitted for reasons indicated at point 5(c) above.
6. ☒ A copy of the international examination report.

DT04 Rec'd PCT/PTO 03 SEP 2004

☐ is transmitted herewith.
☒ is not required as the application was filed with the United States Receiving Office.

7. ☐ A translation of the relevant portions of the international preliminary examination report
- a. ☐ is transmitted herewith.
- b. ☒ is not required as the annexes are in the English language.
8. ☒ An oath or declaration of the inventor (35 U.S.C. Section 371(c)(4)) complying with 35 U.S.C. 115
- a. ☐ was previously submitted by applicant on
- b. ☐ is submitted herewith, and such oath or declaration
- i. ☐ is attached to the application.
- ii. ☐ identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states that they were reviewed by the inventor as required by 37 C.F.R. Section 1.70.
- c. ☒ will follow.

Other document(s) or information included:

9. ☒ An International Search Report
- a. ☒ is transmitted herewith.
- b. ☐ has been transmitted by the International Bureau.
- c. ☐ is not required, as the application was searched by the United States International Searching Authority.
- d. ☐ will be transmitted promptly upon request.
- e. ☐ has been submitted by applicant on Date
10. ☒ An Information Disclosure Statement under 37 C.F.R. Sections 1.97 and 1.98:
- a. ☒ is transmitted herewith.
Also transmitted herewith is/are:
☒ Form PTO-1449 (PTO/SB/08A and 08B).
☒ Copies of citations listed.
- b. ☐ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. Sections 371(c).
- c. ☐ was previously submitted by applicant on Date
- d. ☒ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
11. ☒ Copy of the assignment document as filed in the corresponding PCT application is transmitted herewith.

A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.

10/506877

DT04 Rec'd PCT/PTO 03 SEP 2004

12. ☒ Additional documents:
- a. ☒ Copy of request
 - b. ☒ PCTRO/102
 - c. ☒ PCT/RO/105
 - d. ☒ PCT/RO/106
 - e. ☒ Request for a one-month extension
 - f. ☒ Response to Invitation to Correct Defects
 - g. ☒ PCT/ISA/202
 - h. ☒ PCT/ISA/220
 - i. ☒ International Publication No. WO 2003/078962
 - i. ☒ Specification, claims and drawings
 - ii. ☐ Front page only
 - j. ☒ PCT/IB/301
 - k. ☒ PCT/IB/304
 - l. ☒ PCT/IB/308
 - m. ☒ PCT/IB/332
 - n. ☒ Letter Accompanying Chapter II Demand
 - o. ☒ PCT/IPEA/402
 - p. ☒ EPO Form 1201
13. ☒ The above checked items are being transmitted
- a. ☒ before 30 months from any claimed priority date.
 - b. ☐ after 30 months.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under Section 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in

10/50877

Section 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. Section 1.136(a)(3).

0104 Rec'd PCT/PTO 03 SEP 2004

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. Section 1.26(a).

☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 04-1105.

☒ 37 C.F.R. Section 1.492(a)(1), (2), (3), and (4) (filing fees)

WARNING: Because failure to pay the national fee within 30 months without extension (37 C.F.R. Section 1.495(b)(2)) results in abandonment of the application, it would be best to always check the above box.

☒ 37 C.F.R. Section 1.492(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. Section 1.492(d)), it might be best not to authorize the PTO to charge additional claim fees, except possible when dealing with amendments after final action.

☒ 37 C.F.R. Section 1.17 (application processing fees)

☒ 37 C.F.R. Section 1.17(a)(1)-(5)(extension fees pursuant to Section 1.136(a).

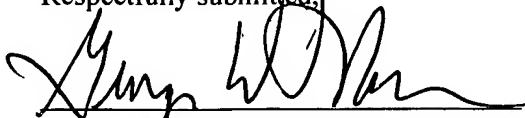
☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. Section 1.311(b).

NOTE: 37 C.F.R. 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 C.F.R. Section 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

☐ 37 C.F.R. Section 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 30 months after the priority date).

Respectfully submitted,



George W. Neuner (Reg. No. 26,964)

EDWARDS & ANGELL, LLP

P.O. Box 55874

Boston, MA 02205

Tel: 617-439-4444

Fax: 617-439-4170

Date: September 3, 2004

Customer No: 21,874

10/506877

DT04 Rec'd PCT/PTO 03 SEP 2004

Docket No. 56954 PCT (70207)

**IN THE UNITED STATES PATENT AND TRADEMARK RECEIVING
OFFICE FOR THE PATENT COOPERATION TREATY**

APPLICANT: President and Fellows of Harvard College
INT. APPLN. NO.: PCT/US03/07527
FILED: 11 March 2003
FOR: DETECTION AND QUANTIFICATION OF MODIFIED
PROTEINS

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service, as Express Mail Label No. EV 343731031 US, postage prepaid, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 4, 2003


Helen Murray Tarbi

Mail Stop PCT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: RO/US
Elnora Rivera

**RESPONSE TO INVITATION TO CORRECT DEFECTS
IN THE INTERNATIONAL APPLICATION**

Applicants have received the Invitation to Correct Defects in the International Application mailed by the PCT Receiving Office on 11 April 2003 for the above-referenced International Application. An Extension of Time was requested on 9 May 2003 to extend the date for responding to the Invitation to 11 June 2003. Accordingly, Applicants believe this Response is timely filed.

Accordingly, in response to the Invitation to Correct Defects, enclosed please find:

1. A copy of the Invitation to Correct Defects;
2. A Power of Attorney executed by the Applicant and inventors, and
3. Thirteen (13) sheets of formal drawings.

10/506877

DT04 Rec'd PCT/PTO 03 SEP 2004

Attorney Docket No. 56954 PCT (70207)
Int. Appl. No. PCT/US03/07527
Response to Invitation to Correct Defects
Page 2 of 2

Please charge any fees that may be due in connection with this matter
to Deposit Account No. 04-1105.

Please contact the undersigned agent if any additional information is
needed.

Date: June 4, 2003

Respectfully submitted,



Dianne M. Rees, Ph.D.
Reg. 45,281
Edwards & Angell, LLP
P.O. Box 9169
Boston, MA 02209
(617) 439-4444

Customer No. 21874
BOS2_334723.1

Docket No. 56954 PCT (70207)

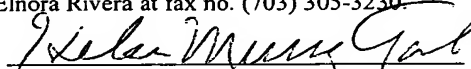
IN THE UNITED STATES RECEIVING OFFICE FOR THE PATENT
COOPERATION TREATY

APPLICANT: President and Fellows of Harvard College
INVENTOR: Gygi, et al.
INT. APPLN. NO.: PCT/US03/07527
INT. FILING DATE: 11 March 2003
PRIORITY FILING DATE: 11 March 2002
FOR: DETECTION AND QUANTIFICATION OF MODIFIED
PROTEINS

MAIL STOP PCT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
Attn: Elnora Rivera

CERTIFICATE OF FACSIMILE

I hereby certify that this Request for One-Month Extension of Time to Respond to the Invitation to Correct Defects is being sent via facsimile on 9 May 2003 addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; Attn: Elnora Rivera at fax no. (703) 305-3230.


Helen Murray Tarbi

Dear Ms. Rivera:

**REQUEST FOR A ONE-MONTH EXTENSION OF TIME
TO RESPOND TO THE INVITATION TO CORRECT DEFECTS
IN THE INTERNATIONAL APPLICATION**

An Invitation to Correct Defects was issued on 11 April 2003 for the above-referenced international application.

Applicants hereby request an additional one-month extension of time to file a response to said invitation, i.e. to extend the due date to 11 June 2003.

Applicants believe that no fee is due with the filing of this response; however, if for

01506877
DT04 Rec'd PCT/PTO 03 SEP 2004

any reason fees are necessary, you are hereby authorized and requested to charge Deposit
Account No. 04-1105.

Please contact the undersigned agent immediately by facsimile or telephone if any
additional information is needed.

Respectfully submitted,

Dianne Rees

Dianne M. Rees, Ph.D. (Reg. No.45,281)
EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, MA 02209
Tel: (617) 439-4444
Fax: (617) 439-4170

Date: 9 May 2003

BOS2_334912.1

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☒ **FADED TEXT OR DRAWING**
- ☒ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.